

2020 Second Extraordinary Session

HOUSE BILL NO. 77

BY REPRESENTATIVE DAVIS

BANKS/BANKING: Provides relative to remote participation in meetings (Item #53)

1 AN ACT

2 To enact R.S. 12:1-709(C) and (D), relative to remote participation in meetings; to allow
3 certain persons to participate in certain meetings by remote communications; to
4 provide for guidelines and procedures; and to provide for related matters.

5 Be it enacted by the Legislature of Louisiana:

6 Section 1. R.S. 12:1-709(C) and (D) are hereby enacted to read as follows:

7 §1-709. Remote participation in annual and special meetings

8 * * *

9 C. Notwithstanding any provision of Subpart A of Part 7 of this Chapter to
10 the contrary, unless the bylaws expressly require the meeting of shareholders to be
11 held at a place, the board of directors may determine that any meeting of
12 shareholders shall be held solely by means of remote communication, in accordance
13 with the provisions of Subsection B of this Section and the guidelines and procedures
14 as the board of directors adopts.

15 D. Notwithstanding the requirements of R.S. 6:272, 647, 648, 709, or 1182,
16 or any other provision of law to the contrary, banks, savings banks, savings and loan
17 associations, and credit unions may permit shareholders or members of the financial
18 institution to participate in any meeting of shareholders or members by means of
19 remote communication, or unless the bylaws expressly require the meeting of
20 shareholders or members to be held at a place, hold any meeting solely by means of

1 remote communication. Any such participation by means of remote communication
2 shall be subject to such guidelines and procedures as the board of directors adopts,
3 and shall be in conformity with Subsection B of this Section. Participation by
4 remote communication may include but is not limited to any telephonic or internet
5 form of communication.

DIGEST

The digest printed below was prepared by House Legislative Services. It constitutes no part of the legislative instrument. The keyword, one-liner, abstract, and digest do not constitute part of the law or proof or indicia of legislative intent. [R.S. 1:13(B) and 24:177(E)]

HB 77 Engrossed

2020 Second Extraordinary Session

Davis

Abstract: Allows certain shareholders and members of financial institutions to participate remotely in meetings.

Proposed law allows the board of directors of a corporation to determine that any meeting of shareholders shall be held solely by means of remote communication, when the bylaws do not expressly require otherwise.

Proposed law allows banks, savings banks, credit unions, and savings and loan associations to permit shareholders or members of the financial institution to participate in any meeting of shareholders or members by means of remote communication.

Proposed law provides that participation by means of remote communication is subject to guidelines and procedures adopted by the board of directors.

Proposed law provides that participation by remote communication includes but is not limited to any telephonic or internet form of communication.

(Adds R.S. 12:1-709(C) and (D))

Summary of Amendments Adopted by House

The Committee Amendments Proposed by House Committee on Commerce to the original bill:

1. Expand the scope of the legislation to include credit unions.
2. Make technical changes.